

RECEIVED
CENTRAL FAX CENTER

JAN 10 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Jeffrey G. Marx

ATTY DOC NO.: 2333.0056C (702.107.2)

SERIAL NO.: 9/440,144

ART UNIT: 3738

FILING DATE: November 15, 1999

EXAMINER: Urmi Chattopadhyay

TITLE: Rigid Reticulated Articles and Processes for Producing Rigid Reticulated Articles

* * * * *

Via Facsimile Only (703-872-9306)

Attention: Office of Petitions

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

PETITION UNDER 37 CFR §1.137(b)**Request for Reconsideration In View of Corrected Claim Amendments**

On October 29, 2004, applicant filed a Petition to Revive under 37 CFR 1.137(b). On January 3, 2005, the Office of Petitions dismissed applicant's petition on grounds that applicant's October 29, 2004 amendment did not place the application in a condition for allowance. The basis for the decision appears to be applicant's failure to formally cancel claims 37, 39-41 and 45 in its October 29, 2004 claim amendments. Applicant requested cancellation of claims 37, 39-41 and 45 in the remarks section of its October 29, 2004 amendment, but undersigned neglected to make the requisite amendments in the claim section. In connection with this request for reconsideration, applicant has filed a revised amendment which formally cancels claims 37, 39-41 and 45 through amendments to the claim section. It is believed that the present amendment corrects the deficiencies of applicant's October 29, 2004 amendment and places the application

SN 9/440,144


BEST AVAILABLE COPY

in a condition for allowance. Accordingly, in view of the corrected claim amendments, applicant respectfully requests reconsideration of the dismissal of its petition to revive.

It is believed that no additional fees are due at this time, but if any additional fees are required, applicant hereby authorizes the Office to charge its deposit account, Deposit Account No. 502795.

Respectfully submitted,

Dated: Jan. 10, 2004



Shawn D. Sentilles, USPTO Reg. 38,299
Wright Medical Technology, Inc.
5677 Airline Rd.
Arlington, TN 38002-9501
(901) 867-4314